

REMARKS

The only issue outstanding in the office action mailed June 7, 2006, is the rejection of all claims under 35 U.S.C. §112. Reconsideration of this rejection, in view of the following discussion, is respectfully requested.

Claims 1-11 have been rejected under 35 U.S.C. §112, second paragraph. It is respectfully submitted that the foregoing clarifying amendments, placing the claims in the condition more usual for US practice, obviates this rejection.

In particular, it is argued at page 2 of the office action that there are no definite process steps for the alcoholysis of acid oils in vegetable or animal origin, as a result of the "optional" language. The reformatting of the claims to use active language obviates this rejection.

It is also queried, at page 2 of the office action, what is meant by "acid oils" of vegetable animal origin. This term is believed amply clear, for example, from original claim 1 itself, reciting vegetable or animal oils "with a natural free acidity." See also, for example, page 1 of the specification, lines 12-13 and, for example, the abstract at page 15 in the specification, lines 12 and 13. In any event, again, the claims have been clarified to indicate that it is natural free acidity that is meant.

The examiner's attention is also directed to US patent 5,908,946, supplied with the information disclosure statement of March 17, 2004. It is noted that this reference is incorrectly named in the search report, and should be "Stern et al." It is noted that, at column 7, lines 18 plus Stern discloses a process "to obtain a very pure ester." This process involves a transesterification of oil, evaporation of excess monoalcohol, decanting of ester, and recycling of the ester in a second stage to transesterification with a portion of monoalcohol recovered in the first evaporation, subsequent re-evaporation of excess monoalcohol in the second of transesterification step, and decanting and separation of glycerin and ester. Patentees teach that the presence of fatty acid in the oils used in transesterification leads to saponification, see column 5, lines 16-22, indicating that, while the presence of fatty acid in the oils is not detrimental in and of itself, there is danger of saponification. Stern teaches that, for acidic oils, it is thus preferable to conduct transesterification *proceeded by* esterification with, e.g., glycerin to

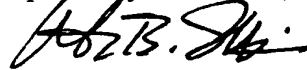
to form a glyceride from the fatty acids. It is thus evident that the disclosure at column 7 refers to purification of ester, and not to the process employing the oil having a natural free acidity. The reference thus does not teach a process in which oils with natural free acidity are transesterified and simultaneously the free acidity is esterified.

The claims in the application are accordingly submitted to be in condition for allowance.

However, if the examiner has any questions or comments, he is cordially invited to telephone the undersigned at the number below.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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